IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 7 of 2002 (M/B)

M/s Narendra & Company
(A Sole Proprietorship concern of Sh. Dinesh Jain)
59, Gandhi Road,
Dehradun. ..... Petitioner

Versus

1. The Commissioner (Appeals)
   Customs and Central Excise,
   Ghaziabad
2. The Deputy Commissioner,
   Customs and Central Excise,
   Dehradun Division,
   Dehradun.
3. The Additional Commissioner,
   Customs and Central Excise,
   Ghaziabad. ..... Respondents

.....

Sri Niranjan Bhatt, Advocate for the petitioner.
Sri Pradeep Joshi, Standing Counsel for the respondents.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Niranjan Bhatt, Advocate for the petitioner.

Sri Pradeep Joshi, Standing Counsel for the respondents.

2. Sri Pradeep Joshi, learned counsel for the respondents submits that the present writ petition filed by the petitioner has now become infructuous as the Tribunal in compliance of this Court's interim order dated 09.01.2002 has already waived the condition of pre-deposit of penalty vide order dated 12.06.2002, wherein it is also mentioned that the petitioner has already deposited the entire amount of duty and interest thereon.

3. The writ petition, therefore, is dismissed as infructuous.

(Prafulla C. Pant, J.) 01.05.2006

(Rajeev Gupta, C. J.) 01.05.2006

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